

ORDINANCE NUMBER 04-01 OF THE CITY OF FRANKLIN, INDIANA

AN ORDINANCE AMENDING ORDINANCE NO. 94-32 ENTITLED "AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES COLLECTED BY THE CITY OF FRANKLIN, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY.

WHEREAS, the Common Council of the City of Franklin, Indiana adopted on November 29, 1994 Ordinance Number 94-32 which provided for, among other things, rates and charges to be collected by the City of Franklin, Indiana, from owners of property served by the sewage works of said City. Said Ordinance amended Ordinance Nos. No. 89-19, 93-4, and 93-14, and repealed Ordinance No. 86-35.

WHEREAS, the City of Franklin, Indiana, is proposing to undertake certain improvements to the City's sewer treatment facilities and the above-referenced Ordinance must be further amended.

NOW BE IT THEREFORE ORDAINED by the Common council of the City of Franklin, Indiana, that Ordinance Numbers 94-32, 89-19, 93-4 and 93-14 be further amended as follows:

- 1) Section 4, subparagraphs (a), (b), (c), (d), (e) and (f) of Ordinance No. 94-32 shall be deleted and, in their places, new subparagraphs (a), (b), (c), (d), (e) and (f) shall be inserted as follows:

- (a) Class I users:

- (1) Metered users:

The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as herein otherwise provided. For the purposes of billing and collecting the charges for sewer service, the water meters shall be read monthly and the users shall be billed monthly (or a period equaling a month).

- (2) Unmetered users (prohibited for industrial and governmental users):

For commercial or institutional users of the sewage works that are unmetered water user or accurate meter readings are not available, the monthly charge shall be determined by the City based on comparison with a similar enterprise with each month (or period equaling a month).

(b) Class II users:

(1) Metered users (with a six month average water meter reading:

The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as herein otherwise provided. For the purposes of billing and collecting the charges for sewage service, annual residential rates shall be billed monthly (or a period equaling a month), based on the average monthly water consumption which is to be computed on May 1st of each year. The average monthly water consumption shall be determined by the average monthly use for the period of October 1st through March 31st immediately preceding the May 1st computation. New residential users (with less than a six month average meter reading) shall pay the unmetered rate (see (b) (2) below) until an average monthly water consumption for the full October 1st through March 31st can be made.

(2) Unmetered users:

For residential users of the sewage works that are unmetered water users, new residential users or accurate meter readings are not available, the monthly charge shall be determined as an average of single family dwelling units. Sewage service bills shall be rendered once each month (or period equaling a month).

(c) Metered water users

The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

All users:

(1) Treatment rate per 1,000 gallons of usage per month:

<u>User Charge</u>	<u>Debt Service</u>	<u>Capital Charge</u>	<u>Total</u>
\$ 1.77	\$ 1.32	\$ --	\$ 3.09
Plus			

(2) Base rate per month as follows:

	<u>Equivalency Factor</u>	<u>User Charge</u>	<u>Debt Service</u>	<u>Capital Charge</u>	<u>Total</u>
5/8 -3/4 inch water meter	1.0	\$ 3.61	\$ 1.96	\$ --	\$ 5.57
1 inch water meter	2.5	8.26	4.90	--	13.16
1 ¼ inch water meter	4.0	14.43	7.83	--	22.26
1 ½ inch water meter	5.7	20.57	11.17	--	31.74
2 inch water meter	10.0	31.53	19.58	--	51.11
3 inch water meter	23.0	71.85	45.03	--	116.88
4 inch water meter	40.0	124.59	78.32	--	202.91
6 inch water meter	91.0	282.79	178.18	--	460.96
8 inch water meter	164.0	509.23	321.11	--	830.34

(d) Unmetered water users:

The schedule on which said rates and charges shall be determined is as follows:

<u>User Class</u>	<u>User Charge</u>	<u>Debt Service</u>	<u>Total</u>
Residential (single family residence)	\$ 15.12	\$ 10.54	\$ 25.66

Users other than “Residential Single Family Dwelling Units” shall be charged a rate to be determined by the City based on comparison with a similar enterprise with metered usage.

- (e) For the service rendered to the City of Franklin said City shall be subject to the same rates and charges hereinabove provided, or to charges and rates established in harmony therewith.
- a) That the remainder of Ordinance Numbers 94-32 and 89-19 not specifically amended pursuant to this Ordinance, shall remain in full force and effect.
- 2) **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
- 3) **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed.
- 4) **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.
- 5) **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-15, 16.

Introduced and Filed on the 12th day of January, 2004. A motion to consider same on the First Reading or day of introduction was [not offered] [sustained by a vote of ____ in Favor and ____ Opposed, pursuant to Indiana Code § 36-4-6-13.]

DULY PASSED on this 26th day of January, 2004 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote 6 in Favor and 0 Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:

Voting Opposed:

Stephen D. Hougland, President

Stephen D. Hougland, President

Joseph R. Ault

Joseph R. Ault

Phil Barrow

Phil Barrow

Jeffrey Eggers

Jeffrey Eggers

Dr. William T. Murphy

Dr. William T. Murphy

Katherine L. Poynter

Katherine L. Poynter

Ann Gordon

Ann Gordon

Attest:

Janet P. Alexander,
City Clerk-Treasurer

Presented to me the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 26th day of January, 2004 at 7:30 o'clock p.m.

Janet P. Alexander
City Clerk/Treasurer

This resolution having been passed by the legislative body and presented to me this [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this 26th day of January, 2004 at 7:30 o'clock p.m.

Norman P. Blankenship, Jr.

Attest:

Janet P. Alexander
City Clerk/Treasurer

Prepared by:

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